

ORIGINAL

OFFICIAL FILE
ILLINOIS COMMERCE COMMISSION

BEFORE THE
ILLINOIS COMMERCE COMMISSION

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ILLINOIS BELL TELEPHONE COMPANY)

Petition Regarding Compliance with the)
Requirements of Section 13-505.1 of the)
Public Utilities Act)

Docket No. 04-0461

PETITION TO INTERVENE

ROBERT N. KITTEL
Chief
Regulatory Law Office
U.S. Army Legal Services Agency
Department of the Army
JALS-RL
901 N. Stuart Street, Room 700
Arlington, VA 22203-1837

by

PETER Q. NYCE, JR.
General Attorney

For

THE DEPARTMENT OF DEFENSE
And
ALL OTHER FEDERAL EXECUTIVE AGENCIES

BEFORE THE
ILLINOIS COMMERCE COMMISSION

ILLINOIS BELL TELEPHONE COMPANY)	
)	
)	Docket No. 04-0461
Petition Regarding Compliance with the)	
Requirements of Section 13-505.1 of the)	
Public Utilities Act)	

PETITION TO INTERVENE

The Secretary of Defense, through duly authorized Counsel and on behalf of the consumer interests of the Department of Defense and all other Federal Executive Agencies (DoD/FEA), hereby petitions the Commission for leave to intervene in the above-captioned proceeding. This petition is filed pursuant to the applicable laws of Illinois Commerce Commission. As grounds for the intervention, DoD/FEA states:

I

That the United States maintains military installations and civilian agency activities within the State of Illinois which obtain telecommunications services from Illinois Bell Telephone Company and other telecommunications companies in Illinois.

II

That as a large user of telecommunication services provided in Illinois, DoD/FEA activities may be significantly affected by this proceeding. DoD/FEA, therefore, has an interest in this proceeding which cannot be adequately protected by any other party. Accordingly, Petitioner seeks permission to intervene in this case and actively participate in the proceeding.

III

That DoD/FEA has been an active participant in past proceedings before the Commission including Docket 02-0864 from which this case arose.

IV

That the evidence to be presented by Petitioner will be of material value to the Commission in its determination of the issues involved, and that this intervention will not broaden the issues or delay the proceedings.

V

That the name, title, address, telephone number, facsimile number of the person to whom communications in regard to this petition should be addressed are:

Peter Q. Nyce, Jr.
General Attorney, Regulatory Law Office
U.S. Army Legal Services Agency
Department of the Army
JALS-RL
901 N. Stuart Street, Suite 713
Arlington, VA 22203-1837

Email: peter.nyce@hqda.army.mil
Telephone: (703)696-1644
Fax: (703) 696-2960

We also respectfully request the addition to the Official Service list of:

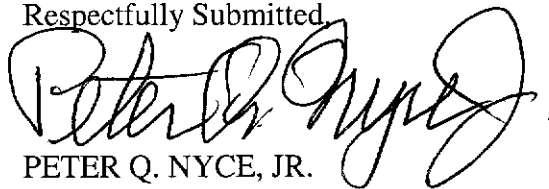
Harry Gildea
Snavelly, King & Majoros
O'Connor & Lee, Inc.
1220 L Street, N.W. Suite 410
Washington, DC 20005

Email: hgildea@snavelly-king.com
Telephone: (202) 371-0604
Fax: (202) 842-4966

VI

WHEREFORE, the premises considered, the United States Department of Defense and All Other Federal Executive Agencies, prays for leave of the Commission to intervene and be treated as a party to this proceeding with a right to have notice of and appear at the taking of testimony, produce and cross examine witnesses and be heard in person or by counsel, upon brief and at oral argument.

Respectfully Submitted,

A handwritten signature in black ink, appearing to read "Peter Q. Nyce, Jr.", written in a cursive style.

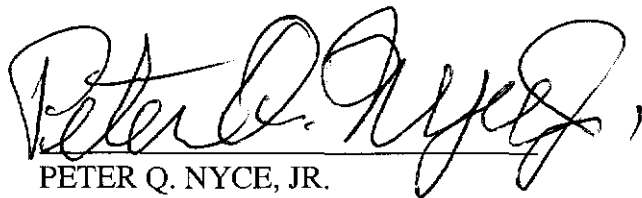
PETER Q. NYCE, JR.
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For
THE DEPARTMENT OF DEFENSE
And
ALL OTHER FEDERAL EXECUTIVE AGENCIES

VERIFICATION

I, PETER Q. NYCE, JR., being first duly sworn, upon oath deposes and states that he is an attorney for Department Of Defense and All Other Federal Executive Agencies, that he has read the above and foregoing Petition to Intervene and knows the contents thereof, and that the statements therein contained are true and correct to the best of his knowledge, information and belief.



PETER Q. NYCE, JR.
General Attorney
Regulatory Law Office
901 North Stuart Street
Arlington, Virginia 22203

County of Arlington
Commonwealth of Virginia
Subscribed and sworn to before me
this 19 day of July 19 2004

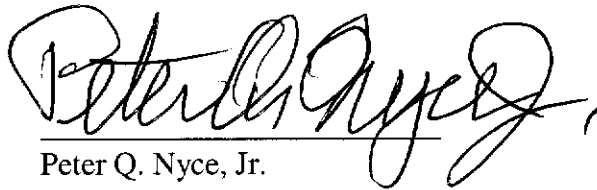


Notary Public, Arlington
My Commission Expires: April 30, 2008

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing Petition to Intervene of the United States Department of Defense and All Other Federal Executive Agencies was served on all parties on the Commission's Docket 02-0864 service list via E-Mail.

Dated this 20th day of July 2004, at Arlington County, Virginia.

A handwritten signature in black ink, appearing to read "Peter Q. Nyce, Jr.", written over a horizontal line.

Peter Q. Nyce, Jr.
General Attorney
Regulatory Law Office